

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
CLERKS OFFICE

2005 SEP -1 P 12:46

TIAGO LEITE,
Petitioner,

v.

MICHAEL CORSINI,
Respondent.

CASE No. 1:04-cv-11794

PETITIONER'S MOTION FOR EXTENSION OF TIME

COMES now the petitioner Tiago Leite (hereinafter "Leite"), and respectfully requests that this honorable Court extend the present September 9, 2005 due date for filing objections to the report and recommendation of U.S. Magistrate Joyce Alexander. Leite requests an extension of 14 days from the date he receives a copy of the magistrate's report from the clerk.

IN SUPPORT WHEREOF, LEITE ASSERTS AS FOLLOWS:

- 1.) On August 27, 2005, Leite received a "Notice of Electronic Filing"
(A.1). This notice stated that Magistrate Alexander "recommends that the District Court deny the petition for a writ of habeas corpus. Objections to report and recommendation due by 9/9/2005" (A.1).
- 2.) All the Clerk sent Leite was the attached electronic filing notice
(A.1). The Clerk did not send Leite a copy of Magistrate Alexander's report. Therefore, it is obviously impossible for Leite to file objections to the magistrate's report and recommendation until such time as the Clerk sends him a copy.

WHEREFORE, Leite respectfully requests that the Court direct the Clerk to send him a copy of the magistrate's report, and that Leite be granted 14 days from the time he receives this report to file his objections.

Respectfully submitted,

Diogo Leite

Diogo Leite

Petitioner/Pro Se

Bay State Corr. Center

P.O. Box 73

Norfolk, MA 02056

August 31, 2005

United States District Court

District of Massachusetts

Notice of Electronic Filing

The following transaction was received from JLA, int1 entered on 8/25/2005 at 3:13 PM EDT and filed on 8/24/2005

Case Name: Leite v. Corsini

Case Number: 1:04-cv-11794

Filer:

Document Number: 11

Docket Text:

Magistrate Judge Joyce London Alexander: ORDER entered. REPORT AND RECOMMENDATIONS re [1] Petition for writ of habeas corpus (28:2254) filed by Tiago Leite, Recommendation: This Court RECOMMENDS that the District Court DENY the petition for writ of habeas corpus. Objections to R&R due by 9/9/2005.(JLA, int1)

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:yes

Electronic document Stamp:

[STAMP dcecfStamp_ID=1029851931 [Date=8/25/2005] [FileNumber=1101233-0]
][8e3d85fd67f2adc01c364e16065dc14dce052dc5d73f12b23dc0a6f06e80de4b9af
43afc706cace8d9335720c6318674d42e4ce083ed8b22643fd97185af1d9c]]

1:04-cv-11794 Notice will be electronically mailed to:

Eva M. Badway eva.badway@ago.state.ma.us, appealsefilings@ago.state.ma.us

1:04-cv-11794 Notice will not be electronically mailed to:

Tiago Leite

Bay State Correctional Center

P.O. Box 73

Norfolk, MA 02056

CERTIFICATE OF SERVICE

The petitioner, Tiago Leite pro se, deposes and says that on August 31, 2005, he placed in the U.S. mails, postage prepaid, a true and correct copy of the foregoing "Petitioner's Motion For Extension Of Time" addressed to respondent's attorney as follows: Ms. Eva Badway/ Ass't. Attorney General/ Office of the Attorney General/ One Ashburton Place/ Boston, MA 02108.

Tiago Leite
Tiago Leite
Petitioner/Pro Se
Bay State Corr. Center
P.O. Box 73
Norfolk, MA 02056
August 31, 2005